D.B.CIVIL SPECIAL APPEAL (W) NO. 742/2007
Kishor Kumar Sharma
Vs.
Director, Sanskrit Education & ors.

Date of order : 31.05.2007.

HON'BLE THE CHIEF JUSTICE SHRI S.N.JHA
HON'BLE SHRI JUSTICE MOHAMMAD RAFIQ
. . .

Shri Hari Kishan Saini, for the appellant.

Challenging his transfer from Banura, district Sikar to Bhindsaron ki Dhani, Ladnu the appellant who is Gr.III Teacher filed the writ petition. Having failed to secure the desired relief he has come to the Division Bench in appeal.

Transfer is sought to be challenged on the ground that the father of the appellant is suffering from cancer and appellant too is suffering from back-ache and proper medical facilities are not available at Ladnu. We are afraid, on such grounds the order of transfer cannot be struck down. Transfers and postings are incidents of service and unless there is violation of some statutory rule or the transfer is found to be grossly arbitrary or actuated by mala fide, Courts do not interfere. No such ground is made out. It is open to the appellant to make representation for change of place.

With this observation the appeal is dismissed.

(MOHAMMAD RAFIQ), J. (S.N.JHA), C.J.

mathur/